

UNITED STATES CODE ANNOTATED
TITLE 29. LABOR
CHAPTER 12--DEPARTMENT OF LABOR

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Current through P.L. 107-227 (excluding 107-217), approved 9-25-02

§ 551. Establishment of Department; Secretary; seal

There shall be an executive department in the Government to be called the Department of Labor, with a Secretary of Labor, who shall be the head thereof, to be appointed by the President, by and with the advice and consent of the Senate, and whose tenure of office shall be like that of the heads of the other executive departments. The provisions of title 4 of the Revised Statutes, including all amendments thereto, shall be applicable to said department. The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment. The said Secretary shall cause a seal of office to be made for the said department of such device as the President shall approve and judicial notice shall be taken of the said seal.

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(Mar. 4, 1913, c. 141, § 1, 37 Stat. 736; Mar. 4, 1925, c. 549, § 4, 43 Stat. 1301.)

HISTORICAL AND STATUTORY NOTES

References in Text

Title 4 of the Revised Statutes, referred to in text, was entitled "Provisions Applicable to All Executive Departments", and consisted of sections 158 to 198 of the Revised Statutes. For complete classification of provisions of the Code derived from such Title 4, see sections 101, 301, 303, 304, 503, 2952, 3101, 3106, 3341, 3345 to 3349, 5535, and 5536 of Title 5, Government Organization and Employees; section 207 of Title 18, Crimes and Criminal Procedure; sections 514 and 520 of Title 28, Judiciary and Judicial Procedure; section 3321 of Title 31, Money and Finance; and Tables.

Codifications

Section was formerly classified to section 611 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub.L. 89-554, § 1, Sept. 1, 1966, 80 Stat. 378.

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Transfer of Functions

For transfer of functions of other officers, employees, and agencies of the Department of Labor, with certain exceptions, to the Secretary of Labor, with power to redelegate, see Reorg. Plan. No. 6 of 1950, § § 1, 2, 15 F.R. 3174, 64 Stat. 1263, set out in Appendix 1 to Title 5, Government Organization and Employees.

Short Title

1986 Amendments. Pub.L. 99-619, § 1, Nov. 6, 1986, 100 Stat. 3491, provided that: "This Act [amending sections 552 and 553 of this title, and sections 5313 to 5316 of Title 5, Government Organization and Employees, repealing Section 3 of Reorganization Plan No. 6 of 1950, set out in Appendix 1 to Title 5, and enacting provisions set out as notes under sections 552 and 553 of this title and section 5316 of Title 5] may be cited as the 'Department of Labor Executive Level Conforming Amendments of 1986'."

Emergency Preparedness Functions

For assignment of certain emergency preparedness functions to the Secretary of Labor, see Parts 1, 2, and 12 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

History of Department

A Department of Labor under the charge of a Commissioner of Labor was first established by Act June 13, 1888, c. 389, 25 Stat. 182. That Department was placed under the jurisdiction and made a part of a new department, called the Department of Commerce and Labor, by Act Feb. 14, 1903, c. 552, § 4, 32 Stat. 827. The name Department of Labor was changed to Bureau of Labor by Act Mar. 18, 1904, c. 716, 33 Stat. 136. The present Department of Labor was created by Act Mar. 4, 1913. The Bureau of Labor in the Department of Commerce and Labor was transferred to the present Department of Labor by said Act.

Compensation of Secretary

Compensation of Secretary, see section 5312 of Title 5, Government Organization and Employees.

Order of Succession

For order of succession in case of absence, sickness, resignation, or death of Secretary and Under Secretary, see Ex.Ord. No. 10513, Jan. 19, 1954, 19 F.R. 369, set out as a note under section 3347 of Title 5, Government Organization and Employees.

EXECUTIVE ORDERS

EXECUTIVE ORDER NO. 10513

<Jan. 20, 1954, 19 F.R. 369>

DESIGNATION OF OFFICERS TO ACT AS SECRETARY OF LABOR

I hereby authorize and direct the Assistant Secretaries of Labor and the Solicitor of Labor, in the order designated as hereinafter provided, to perform the duties of the office of the Secretary of Labor in case of the absence, sickness, resignation, or death of both the Secretary of Labor and the Under Secretary of Labor.

The Assistant Secretaries of Labor and the Solicitor of Labor shall act as Secretary of Labor as herein provided (1) in such order as the Secretary of Labor (or the Under Secretary when acting as Secretary) may by order designate from time to time, or (2) if no such designation order is in effect at the time, in the order of the respective dates of their commissions, or in the event that two or more of their commissions bear the same date, in the order in which they shall have taken their oath of office.

This order supersedes Executive Order No. 9968 of June 17, 1948, entitled "Designation of Certain Officers To Act as Secretary of Labor."

LIBRARY REFERENCES

Administrative Law

Employee conduct and responsibilities, see 29 CFR § 0.735-1 et seq.

Government--

Drug-free workplace requirements for grantees, see 29 CFR § 98.600 et seq.

Nonprocurement debarment and suspension system, see 29 CFR § 98.100 et seq.

Encyclopedias

77 Am. Jur. 2d, United States § 57.

Texts and Treatises

12 Fed. Proc. L Ed Evidence § 33:69.

9 RIA Employment Coord, Agency Proceedings ¶¶ EP-31,051; 31,053.

29 U.S.C.A. § 551

29 USCA § 551

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